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PART – I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION, HARYANA
NIRVACHAN SADAN, PLOT NO. 2, SECTOR-17, PANCHKULA, HARYANA-134109

Order

The 10th June, 2021

No. SEC/3ME/2021/1226-1232.— The General Election of Municipal Corporation, Sonapat was held on 27.12.2020 and the result of the elected candidates was declared on 30.12.2020.

2. Section 8B of the Haryana Municipal Corporation Act, 1994 provides that every candidate at an election shall, either himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing of nomination papers to the date of declaration of the result thereof, both dates inclusive. The account shall contain such particulars, as may be notified by the State Election Commission in this behalf. The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. Section 8D of the Haryana Municipal Corporation Act, 1994 read with Section 10 A of the Representation of People Act, 1951 further provides that if the Election Commission is satisfied that a person –

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure the Election Commission shall, by order published in the Official Gazettee, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

4. In pursuance of the above provisions, the State Election Commission, Haryana vide its notification No. SEC/ 3ME/ 2020/1756, dated 05.11.2020 in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India, sub-section 3 of Section 8B of the Haryana Municipal Corporation Act, 1994 had prescribed the limit of expenditure of Rs.5,50,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of member of Municipal Corporation, Sonapat and account of election expenses shall be filed/lodged with the Deputy Commissioner or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.

5. The State Election Commissioner, Haryana in exercise of powers contained under Section 9(1A) of the Haryana Municipal Corporation Act, 1994 authorized Assistant State Election Commissioner, State Election Commission, Haryana vide order No. SEC/1ME/2020/1833, dated 12.11.2020 to decide the cases of disqualification of the candidates, who failed to lodge their account of election expenses within the prescribed time.

6. As reported by the Assistant Expenditure Observer, Municipal Corporation Election 2020, Sonapat, the following candidates had contested the election of Municipal Corporation Sonapat held on 27.12.2020 but failed to submit their election expenditure account:-

Sr. No.	Name of Candidate	Ward No.
1.	Mamta Luthra	10
2.	Sangeeta	13

7. The Commission had served a show cause notice upon them to explain as to why they should not be disqualified on account of non submission of election expenditure account within the period.

8. Candidate mentioned at Sr. No.1 has submitted her election expenditure register on 24.03.2021 and explain the reason to file her election expenditure beyond the prescribed time limit, she submitted a medical certificate. So far as filing the expenditure statement beyond the prescribed time limit is concerned reply filed by the above said candidate has been examined and found to be satisfactory and allowed to file her expenditure statement beyond the time limit and the show cause notice issued shall be treated as withdrawn.

9. Candidate mentioned at Sr. No. 2 has submitted her election expenditure register on 24.03.2021 and explain the reason to file her election expenditure beyond the prescribed time limit, she submitted a death certificate. So far as filing the expenditure statement beyond the prescribed time limit is concerned reply filed by the above said candidate has been examined and found to be satisfactory and allowed to file her expenditure statement beyond the time limit and the show cause notice issued shall be treated as withdrawn.

10. The office is directed to send a copy of this order to the candidate concerned through Deputy Commissioner, Sonapat immediately.

Panchkula :
The 9th June, 2021.

PARMAL SINGH,
Assistant State Election Commissioner, Haryana.